



ADMINISTRATIVE DIRECTIVE

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DEPARTMENTAL SAFETY PROGRAMS AND DISCIPLINARY GUIDELINES INFRACTIONS OF SAFETY VIOLATIONS		PAGE ISSUE DATE February 1, 2000

I. PURPOSE

To provide for departmental safety programs and guidelines for the implementation of discipline when a city employee violates a safety practice or procedure. Each department shall develop its specific safety program. Central Safety Services shall review these programs prior to implementation. The Department Director is responsible for program implementation, administration and enforcement. Meetings will be held quarterly with the Central Safety Manager and department Safety Coordinators to review these programs.

Each department and/or major division shall appoint a designated individual as their "Safety Coordinator". This person shall be responsible for the day-to-day implementation and enforcement of the safety program. The Safety Coordinator shall report to the department Director or Assistant Director.

II. DEFINITIONS

A. **COMPETENT PERSON** – one who is capable of identifying existing and predicting hazards in the surroundings, or working conditions which are unsanitary, hazardous or dangerous to employee, and who has authorization to take prompt corrective measures to eliminate them.

B. **PROJECT** – any construction, rehabilitation or maintenance activity subject to City of Tucson safety standards and/or State or Federal safety laws, standards and regulations.

C. **VIOLATION** – for purposes of this directive, an intentional or non-intentional infraction of an approved policy, procedure or work practice.

D. **VERBAL WARNING** – an admonition to an employee which is documented by a supervisory log entry that a practice or procedure utilized is unacceptable and prohibited due to safety concerns. (the log must be minimally retained for a three-year period)

E. **WRITTEN WARNING** – a formal memorandum to the employee concerning an unacceptable practice or procedure. A copy of the memorandum is retained in the employee's personnel file.

NOTE: Either of the above items are "actions" supporting progressive discipline should additional violations or infractions occur.

Example, an employee is given a verbal warning and then a written warning, two (2) steps in the progressive discipline ladder have occurred.

The employee should be requested to sign or initial any written action. A refusal to acknowledge the action shall be noted.



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III. POLICY

This policy shall apply to all employees, supervisors and management personnel of the City of Tucson. The Tucson Police Department and Tucson Fire Department will be excluded from the application of this A.D., based on the existence of current internal review procedures that replicate the processes outlined in this A.D. Safety violations by employees of the City of Tucson will ordinarily be subject to progressive discipline. This policy shall not preclude termination for single infractions when warranted by the circumstances.

A "Competent Person" for the project shall be present at the commencement of the project. The competent person will then be available throughout the entire project. The Competent Person shall be identified by name to all employees working on the project. The Competent Person's numbers and name shall be posted at the work site. The Competent Person shall visit the work site(s) at least once per 8 hours.

IV. ACTIONS REQUIRED – WHEN SAFETY VIOLATIONS CAUSE OR HAVE THE POTENTIAL TO CAUSE INJURY, LOSS OF LIFE OR PROPERTY DAMAGE.

Example: Running a stop light or creating an excavation without proper cave-in protection, even though no property damage, injury or loss of life occurs, creates a potential for injury, loss of life or property damage.

A. IMMEDIATE ACTIONS

Regardless of the severity of violation or unsafe condition the Lead Person/Supervisor/Designated Person responsible for the crew performance **SHALL**:

- a. **STOP** employee unsafe act/condition. Provide coaching and advice concerning proper procedures, etc.
- b. **WARN** employee that supervision will be notified and there may be further discipline.
- c. **NOTE** incident in logbook or on work sheets and review incident with immediate supervisor before the end of the day.

B. SUPERVISION'S ACTIONS

The supervisor shall confer with the Safety Coordinator to **determine if further investigation will be recommended**. The Supervisor and Safety Coordinator will then, within 5 workdays, document the incident for the Division Administrator recommending closure or further investigation.



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C. ADMINISTRATOR'S/DIRECTOR'S ACTIONS

1. If further investigation and/or discipline is required the Administrator/Director will arrange for a Board of Inquiry (See Central Safety Services Directive No. S-006 for composition and responsibilities) within 30 days of incident. A Board of Inquiry will also be convened for Level 1, 2, and 3 violations described in Section V following. The employee is to be notified when a Serious Action Review Committee is also convened. (See City Administrative Directive 3.04-4)
2. Any disciplinary recommendation made by a Board of Inquiry shall go to the Department Director who shall make the final disciplinary decision, in accordance with the guidelines set forth in Section V following. Any discipline should be administered within 90 days of the incident.
3. An **Executive Summary Report** (see attachment) of the entire proceedings shall be sent to the City Manager and Manager, Central Safety Services. This document shall be completed and delivered within five (5) working days of the close of the investigation or the administration of discipline as appropriate.
4. Central Safety Services shall issue an "Information Alert" to all City departments within five (5) days of receiving the Summary. The "Information Alert" **is not** to contain the names of the employees involved but shall only generally describe the nature of the safety violation. Each department will keep a log of the Information Alerts.

V. **GUIDELINES FOR ASSESSING THE SERIOUSNESS OF SAFETY VIOLATIONS and the level of discipline generally associated with the violation.**

LEVEL 1 Violations - Result from property damage less than \$1,000.00 and/or non-serious Occupational Safety and Health Administration (OSHA) violation. Discipline is mandatory. Verbal warning to a 10-day suspension should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

***NOTE: REFER TO RE-TRAINING SECTION**

LEVEL 2 Violations - Injuries or property damage greater than \$1,000.00 resulting from safety infractions or serious OSHA violation. Discipline is mandatory. Written reprimand through termination should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

***NOTE: REFER TO RE-TRAINING SECTION**

LEVEL 3 Violations - Serious injuries, death(s), injuries to 3 or more persons, hospitalization over 24 hours or property damage greater than \$5,000.00 or significant City liability exposure resulting



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from a safety infraction. Discipline is mandatory. A demotion through termination should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

***NOTE: RE-TRAINING IS MANDATORY**

SPECIAL CIRCUMSTANCE - Serious violation even though no injury or property damage occurs because an employee holds valid certification or license for a particular situation or substance [e.g. asbestos, CDL (Commercial Drivers License), pesticides]. Discipline is mandatory. A written reprimand through termination should be considered. Subsequent and/or repeated violation should result in more serious discipline up to and including termination.

***NOTE: RE-TRAINING IS MANDATORY**

The foregoing guidelines to not preclude more severe discipline, up to and including termination, for any single or combined violations whether Level 1, 2, or 3 violation(s) when otherwise warranted by the circumstances and in accord with general City disciplinary practices.

VI. RETRAINING

If more than one violation occurs within a 90-day period and the employee has not been terminated, re-training will be initiated. This does not preclude immediate re-training for first level violations based on safety representatives or safety coordinator's recommendation.

VII. SERIOUS ACCIDENT REVIEW COMMITTEE

The Serious Accident Review Committee (See City Administrative Directive 3.04-4) shall be convened to review **ALL** Level 3 incidents. This committee is charged with providing an unbiased review of the circumstance surrounding the event. The Committee shall review the initial investigation, make findings, and recommendations. In addition to other responsibilities under the city Administrative Directive, the committee shall insure that any recommendations approved by the Manager are implemented.

VIII. PROCEDURE RESPONSIBILITY

The Central Safety Services Section of the Risk Management Division of the Finance Department shall review this policy annually.

AUTHORIZED

LUIS GUTIERREZ
CITY MANAGER

EXECUTIVE SUMMARY REPORT
PROCEEDINGS OF DEPARTMENTAL INVESTIGATION AND
RECOMMENDATIONS OF A SAFETY VIOLATION OR INFRACTION OR
INCIDENT

Department _____ Date of Incident _____

Location of Incident _____ Time of Incident _____

Employees Involved _____

Supervisor(s) of Involved Employees _____

Injuries and/or Fatalities (Names, Titles & Type of Injury)

Property Damage (Type and estimate)

Description of Incident

Findings _____

Discipline Recommended _____

Discipline Administered: Date _____ By Whom _____

Investigating Committee Members (Name[s] and Title[s])

Signature _____ Date _____

Department Head

White: City Manager

Pink: Manager, Central Safety Services

Yellow: Department